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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
AHN, SANGWOO	

ART UNIT	PAPER NUMBER
2166	

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/784,120	BOTS ET AL.	
	Examiner	Art Unit	
	Sangwoo Ahn	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☒ Claim(s) *1-20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *07192004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on March 6, 2002. It is noted, however, that applicant has not filed a certified copy of the 102 09 712.7 application as required by 35 U.S.C. 119(b).

Claim Objections

Claims 1 – 20 are objected to because of the following informalities:

Claim 1 recites:

• "existing ports" in line 6 of the claim. Examiner respectfully suggests Applicant to change "existing ports" to "the at least one port" to be consistent with previously recited terminology "at least one port".

• "via a port (12, 13, 14)" in line 8 of the claim. The reference characters 12 and 13 do not indicate the port and should be removed.

• "the generation of a voltage pulse" in line 9 of the claim. There is insufficient antecedent basis for this limitation.

Claim 4 recites "simultaneously data exchange and the recognition of a repeat triggered voltage pulse by the pulse generator is possible". There is a grammatical error in this phrase.

Claim 13 is objected to based on the same reason as claim 4.

Claim 6 recites "The pulse generator is accessible ... of the stationary computer unit (11)." from line 8 through line 10. Examiner respectfully suggests Applicant to write

the claim in one sentence. More particularly, Examiner suggests Applicant to change the aforementioned phrase to read as follows: ", wherein the pulse generator is accessible ... of the stationary computer (11)."

Claim 15 is objected to based on the same reason as claim 6.

Claim 12 recites "Operating program". Since it is a "program" or "code" claim, it cannot depend on a "procedure" or "method" claim. Examiner respectfully suggests Applicant to write claim 12 as an independent form that claims a "program" or "software", reciting the steps performed in claim 1.

Claims 2 – 11 and 13 – 20 recite "Procedure" at the very beginning. Examiner respectfully suggests Applicant to change "Procedure" to "The procedure" since they all depend on the previous claims.

Appropriate corrections are required.

Claim Rejections - 35 USC § 101

Claim 12 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 12 is not limited to tangible embodiments. This claim does not indicate use of hardware on which the "program" or "software" runs to perform necessary steps. Program of software can be stored on a medium and/or executed by a computer. In other words, the program must be computer-readable. The use of a computer is not evident in the claim. MPEP 2106.IV.B.1(a) refers to "computer-readable" medium with computer program encoded on it.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 3, 12, 14, 15, 18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Publication Number 2002/0023198 issued to Tomoyuki Kokubun et al (hereinafter "Kokubun").

Regarding claim 1, Kokubun discloses,

Procedure for monitoring and exchanging data between an external data storage unit and at least one stationary computer unit, the stationary computer unit being connected via at least one port and one data connection to the external data storage unit (Figure 2, et seq.), and an operating program on the stationary computer unit continuously monitoring existing ports for a data connection to an external data storage unit (paragraph 10: 5 – 6, paragraph 39: 6, et seq.), characterized in that, in case of an existing data connection via a port (12,13,14), the operating program detects the generation of a voltage pulse by a pulse generator (15) connected to the data connection (12,13,14) and located on the external data storage unit (10) (paragraph 41: 4, et seq.) and subsequently initiates further processes on the stationary computer unit (11) and the external data storage unit (10) (paragraph 10: 9 – 12, et seq.).

Regarding claim 2, Kokubun discloses,

in case of the detection of a voltage pulse by the operating program, a data exchange is initiated via the existing data connection (12,13,14) between the data storage unit (10) and the stationary computer unit (11) (paragraph 10: 9 – 12, et seq.).

Regarding claim 3, Kokubun discloses,

the data are transferred via the data connection (12,13,14) as data packets (paragraph 10: 9 – 12, transferring data in packets is very well-known in the data processing art).

Regarding claim 12, Kokubun discloses,

Operating program to execute the procedure according to claim 1 (paragraph 41: 4, et seq.).

Regarding claim 14, Kokubun discloses,

the data exchange triggered by the detection of the voltage pulse initiates a data synchronization of a pre-defined hard drive area between the stationary computer unit (11) and the external data storage unit (10) (paragraph 49: 1 – 7, et seq.).

Regarding claim 15, Kokubun discloses,

the pulse generator (15) is accessed by the operating program in the stationary computer unit (11) as a virtual drive, the virtual drive not being used as a traditional drive, but selected communication commands for the control of the virtual drive by the operating program are automatically transformed for monitoring a voltage pulse triggered at the pulse generator (15). The pulse generator (15) is accessible as a virtual

drive only by the operating program and is not integrated into the data storage administration of the stationary computer unit (11) (paragraph 41, et seq.).

Regarding claim 18, Kokubun discloses,

different connection technologies are used via the port (14) for the data connection and are utilized by the operating program in the stationary computer unit (11) (paragraph 115: 4 – 5, et seq.).

Regarding claim 20, Kokubun discloses,

the voltage pulse generated by the pulse generator (15) is temporarily stored as a change in a memory log (17) in the data storage unit (10) and is read out at a later point in time by the operating program via the existing data connection (12,13,14), with the memory log (17) being newly initialized with the read out (Figure 5, paragraph 54: 7 – 8, paragraph 65, et seq.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4 – 6, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubun in view of U.S. Patent Number 6,292,878 issued to Yoshihiro Morioka et al (hereinafter "Morioka").

Regarding claim 4, Kokubun discloses the procedure according claim 3, operating program controlling the data exchange, data connection, voltage pulse by the pulse generator, detection of the voltage pulse, and transferring data packets.

Kokubun does not explicitly disclose the data exchange and the detection of the voltage pulse are carried out simultaneously.

However, Morioka discloses a system where data exchange and signal exchange are carried out simultaneously (column 17: 35 – 39, et seq.). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to combine the two references because Morioka's method of exchanging data and detecting signal simultaneously would have enabled Kokubun's system to handle/transfer a very large volume of data in a short time, as taught by Morioka.

Claim 13 is rejected based on the same rationale discussed in claim 4 rejection.

Regarding claim 5, Kokubun discloses,

the data exchange triggered by the detection of the voltage pulse initiates a data synchronization of a pre-defined hard drive area between the stationary computer unit (11) and the external data storage unit (10) (paragraph 49: 1 – 7, et seq.).

Regarding claim 6, Kokubun discloses,

the pulse generator (15) is accessed by the operating program in the stationary computer unit (11) as a virtual drive, the virtual drive not being used as a traditional drive, but selected communication commands for the control of the virtual drive by the operating program are automatically transformed for monitoring a voltage pulse triggered at the pulse generator (15). The pulse generator (15) is accessible as a virtual drive only by the operating program and is not integrated into the data storage administration of the stationary computer unit (11) (paragraph 41, et seq.).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubun and Morioka, further in view of Complete Idiot's Guide to Windows XP written by Paul McFedries (hereinafter "McFedries").

Regarding claim 7, Kokubun and Morioka discloses the procedure according to claim 6 as explained in claim 6 rejection.

Kokubun and Morioka do not explicitly disclose the external data storage unit is integrated as an additional data storage drive into the data storage administration of the stationary computer unit and can be accessed as an independent drive from the stationary computer unit.

However, McFedries discloses viewing removable storage and exploring the data contained therein via graphical user interface (Chapter 5, Figure 6.1, et seq.). It would

have been obvious to a person of ordinary skill in the data processing art to combine the aforementioned references because McFedries' method of navigation would have enabled Kokubun and Morioka's system to keep user's data easy-to-find, well maintained and organized. Examiner would also like to note that the feature recited in claim 7 of the instant application is well-known and widely used in the data processing art.

Claims 8 – 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubun, Morioka, and McFedries, further in view of U.S. Patent Number 6,438,638 issued to Larry Lawson Jones et al (hereinafter "Jones").

Regarding claim 8, Kokubun, Morioka, and McFedries disclose the procedure according to claim 7.

Kokubun, Morioka, and McFedries do not explicitly disclose that the pulse generator integrated in the external data storage unit is mounted on the outside of the data storage unit, and is especially a push button.

However, Jones discloses the pulse generator integrated in the external data storage unit is mounted on the outside of the data storage unit, and is especially a push button (Figure 9: 79, column 10: 26 and 30, et seq.). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to combine the aforementioned references because Jones' pulse generator with a push button would have enabled Kokubun, Morioka, and McFedries' overall system to provide a simple, time-saving user interface (which also provides a visual indication of

the data copying progress) to operate the external data storage and initiate data transfer.

Regarding claim 9, Kokubun discloses,

different connection technologies are used via the port (14) for the data connection and are utilized by the operating program in the stationary computer unit (11) (paragraph 115: 4 – 5, et seq.).

Regarding claim 10, Jones discloses,

in case of a data exchange, an optical auxiliary means (16) built into the external data storage unit (10), especially LEDs, is activated by the data transfer (column 10: 26, et seq.).

Regarding claim 11, Kokubun discloses,

the voltage pulse generated by the pulse generator (15) is temporarily stored as a change in a memory log (17) in the data storage unit (10) and is read out at a later point in time by the operating program via the existing data connection (12,13,14), with the memory log (17) being newly initialized with the read out (Figure 5, paragraph 54: 7 – 8, paragraph 65, et seq.).

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubun in view of Complete Idiot's Guide to Windows XP written by Paul McFedries (hereinafter "McFedries").

Regarding claim 16, Kokubun discloses the procedure according to claim 15 as explained in claim 15 rejection.

Kokubun does not explicitly disclose the external data storage unit is integrated as an additional data storage drive into the data storage administration of the stationary computer unit and can be accessed as an independent drive from the stationary computer unit.

However, McFedries discloses viewing removable storage and exploring the data contained therein via graphical user interface (Chapter 5, Figure 6.1, et seq.). It would have been obvious to a person of ordinary skill in the data processing art to combine the aforementioned references because McFedries' method of navigation would have enabled Kokubun's system to keep user's data easy-to-find, well maintained and organized. Examiner would also like to note that the feature recited in claim 7 of the instant application is well-known and widely used in the data processing art.

Claims 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubun in view of U.S. Patent Number 6,438,638 issued to Larry Lawson Jones et al (hereinafter "Jones").

Regarding claim 17, Kokubun discloses the procedure according to claim 1.

Kokubun does not explicitly disclose that the pulse generator integrated in the external data storage unit is mounted on the outside of the data storage unit, and is especially a push button.

However, Jones discloses the pulse generator integrated in the external data storage unit is mounted on the outside of the data storage unit, and is especially a push button (Figure 9: 79, column 10: 26 and 30, et seq.). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing

art to combine the aforementioned references because Jones' pulse generator with a push button would have enabled Kokubun's overall system to provide a simple, time-saving user interface (which also provides a visual indication of the data copying progress) to operate the external data storage and initiate data transfer.

Regarding claim 19, Jones discloses,

in case of a data exchange, an optical auxiliary means (16) built into the external data storage unit (10), especially LEDs, is activated by the data transfer (column 10: 26, et seq.).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sangwoo Ahn whose telephone number is (571) 272-5626. The examiner can normally be reached on M-F 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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8/31/2006 SW

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